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    SUPPORT CENTER, L.P., SCI HOUSTON MARKET
SUPPORT CENTER, L.P., JANE D. JONES,
GWEN PETTEWAY, THOMAS RYAN, CURTIS BRIGGS,
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    ALDERWOODS GROUP, INC., and PAUL HOUSTON
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11
                              UNITED STATES DISTRICT COURT
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                            NORTHERN DISTRICT OF CALIFORNIA
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                                              ) CASE NO. 3:08-CV-01190 SI
    CLAUDE BRYANT, et al., on behalf of
14
                                                 CASE NO. 3:08-CV-01184 SI
    themselves and all other employees and former )
    employees similarly situated.
15
                                                 STIPULATION TO FILE DOCUMENT
                                                 UNDER SEAL; [PROPOSED] ORDER
16
                   Plaintiffs,
           VS.
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    SERVICE CORPORATION
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    INTERNATIONAL et al.
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                   Defendants.
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    WILLIAM HELM, DEBORAH PRISE,
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    HEATHER P. RADY, et al., on behalf of
    themselves and all other employees and former)
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    employees similarly situated,
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                   Plaintiffs,
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           VS.
27
    STIPULATION TO FILE DOCUMENT UNDER SEAL; [PROPOSED] ORDER
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    Case No.: 3:08-CV-01190 SI;
    Case No.: 3:08-CV-01184 SI
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1 ALDERWOODS GROUP, INC., PAUL A. HOUSTON, SERVICE CORPORATION 2 INTERNATIONAL, SCI FUNERAL AND 3 CEMETERY PURCHASING COOPERATIVE, INC., SCI EASTERN 4 MARKET SUPPORT CENTER, L.P., SCI WESTERN MARKET SUPPORT CENTER. 5 L.P., a/k/a SCI WESTERN MARKET 6 SUPPORT CENTER, INC., and SCI HOUSTON MARKET SUPPORT CENTER. 7 L.P. 8 Defendants. 9 10 **STIPULATION** 11 12 13

Previously, Plaintiffs and Defendants agreed to, and the Court entered, a Stipulated Protective Order Pursuant to Fed. R. Civ. P. 26(C). (Bryant Docket No. 112; Helm Docket No. 124). That Protective Order, inter alia, set out a procedure permitting parties to designate certain discovery materials "CONFIDENTIAL." In response to discovery demands in this case, Defendants have designated certain documents "CONFIDENTIAL" pursuant to the Protective Order, and Plaintiffs have not currently challenged some of those designations.

Pursuant to Civil Local Rules 79-5 and 7-12, Plaintiffs and Defendants in these matters, through their undersigned counsel, hereby stipulate that in submitting Defendants' Reply in support of their pending motions to dismiss, Defendants may file under seal pursuant to the Protective Order the following documents, each of which has been designated "CONFIDENTIAL":

- Defendants Service Corporation International, SCI Eastern Market Support Center, L.P., SCI
 Houston Market Support Center, L.P., Jane D. Jones, Gwen Petteway, Thomas Ryan and Curtis
 Briggs Reply in Support of Their Motion to Dismiss Complaint Pursuant to FRCP 12(B)(2) and
 FRCP 12(B)(6), which describes and quotes from materials Defendants have designated as
 "CONFIDENTIAL"
- Defendants' Evidentiary Objections and Motion to Strike Portions of Plaintiffs' Consolidated
 Declaration of Sarah Cressman in Opposition to Defendants' Motions to Dismiss, for Partial
 Judgment on the Pleadings, and to Strike and Require a More Definite Statement and Motions for

STIPULATION TO FILE DOCUMENT UNDER SEAL; [PROPOSED] ORDER

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Stay and Award of Attorney Fees and Costs Pursuant to FRCP 41(d), which describes and quotes 1 from materials Defendants have designated as "CONFIDENTIAL" 2 3 AGREED TO: 4 5 /s/Annette Gifford /s/Nicholas P. Forestiere Annette Gifford Nicholas P. Forestiere 6 Thomas & Solomon LLP Gurnee & Daniels LLP 693 East Avenue 2240 Douglas Blvd., Suite 150 7 Rochester, New York 14607 Roseville, CA 95661 Telephone: (585) 272-0540 8 Telephone: (916) 797-3100 Attorneys for Defendants 9 Attorneys for Plaintiffs 10 **ORDER** 11 Pursuant to the Stipulation of counsel and good cause appearing, the Court hereby orders that, in submitting 12 Defendants' Reply in support of their pending motions to dismiss, Defendants may file under seal pursuant to the 13 Protective Order the following documents, each of which has been designated "CONFIDENTIAL" by Defendants: 14 1. Defendants Service Corporation International, SCI Eastern Market Support Center, L.P., SCI 15 Houston Market Support Center, L.P., Jane D. Jones, Gwen Petteway, Thomas Ryan and Curtis 16 Briggs Reply in Support of Their Motion to Dismiss Complaint Pursuant to FRCP 12(B)(2) and 17 FRCP 12(B)(6), which describes and quotes from materials Defendants have designated as 18 "CONFIDENTIAL" 19 2. Defendants' Evidentiary Objections and Motion to Strike Portions of Plaintiffs' Consolidated 20 Declaration of Sarah Cressman in Opposition to Defendants' Motions to Dismiss, for Partial 21 Judgment on the Pleadings, and to Strike and Require a More Definite Statement and Motions for 22 Stay and Award of Attorney Fees and Costs Pursuant to FRCP 41(d), which describes and quotes 23 from materials Defendants have designated as "CONFIDENTIAL" 24 IT IS SO ORDERED: 25 26 Honorable Susan Illston 27 United States District Court STIPULATION TO FILE DOCUMENT UNDER SEAL; [PROPOSED] ORDER

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